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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,898	01/25/2002	Satoshi Shinada	Q67951	8316

7590 11/12/2003  
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EXAMINER

NGHIEM, MICHAEL P

ART UNIT PAPER NUMBER

2863

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/054,898

Applicant(s)

SHINADA ET AL.

Examiner

Michael P Nghiem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 50-52 and 58-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 50-52, 58-60, 62 and 63 is/are allowed.
- 6) ☒ Claim(s) 61 and 64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/437,246.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 19.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

The Amendment filed on October 30, 2003 has been acknowledged.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 61 and 64 are rejected under 35 U.S.C. 102(b) as being anticipated by Barinaga et al. (US 6,015,209).

Barinaga et al. discloses all the claimed features of the invention including:

Regarding claim 61, an ink supply system (Fig. 3) for a printing apparatus (Fig. 1) providing ink to a printing head (column 2, line 47) through a tapered ink supply needle (34), said ink supply system capable of providing ink contained in an ink chamber (22) along an ink supply port (18) to the print head through the ink supply needle (Fig. 3), comprising:

- an ink channel (ink path from 22 to printhead via 34, Fig. 3) for providing ink from said ink chamber to the print head of the printing apparatus (column 2, lines 49-

54), said ink channel extending substantially straight to an interior of said ink chamber from said ink supply port (Figs. 1-3);

- a first member (60) provided at said ink channel, forming a part of said ink channel for allowing a flow of ink (Figs. 2, 3), said first member sealing the ink supply needle of the ink printing apparatus by fitting therewith (Fig. 3);

- a second member (68) contained in said ink channel elastically abutting against said first member in a direction which is the same as a direction of the sealing by said first member with said second member (Fig. 2), said second member selectively opening and closing said ink channel in conjunction with the ink supply needle (Figs. 2, 3);

- an internal opening (opening of 22 to 18, Figs. 2, 3) for communicating the ink supply port to the ink chamber formed in said ink channel and positioned right above the ink supply port (Figs. 2, 3), wherein a direction of said ink channel is substantially the same direction as the direction of the sealing of said first member with said second member (Figs. 2, 3).

Regarding claim 64, a second ink chamber (interior chamber of 18) in which said second member is arranged to be slidable (Figs. 2, 3), wherein said first member includes a hole (hole of 60, Fig. 3) which is disposed coaxially with said second ink chamber (Fig. 3).

***Allowable Subject Matter***

2. Claims 50-52, 58-60, 62, and 63 are allowed.

***Reasons For Allowance***

3. The combination as claimed wherein said protruding member contacts the ink supply needle of the printing apparatus (claim 50) or the angle of said notch of the second member is the same as the tapered angle of the ink supply needle (claims 58, 62) or said guide body extending from said second member in a direction substantially parallel with said ink channel (claim 59) or said second member comprises a guide rod extending along a direction to the ink chamber, and a guide unit fitting with said second member for allowing said second member to slide along the direction of the sealing of said first member with said second member (claim 60) is not disclosed, suggested, or made obvious by the prior art of record.

***Response to Arguments***

4. Applicant's arguments have been considered but are traversed in view of the discussions above.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (703) 306-3445. The examiner can normally be reached on M-H from 6:30AM – 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached at (703) 308-3126. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'Michael Nghiem', with a stylized flourish at the end.

**MICHAEL NGHIEM**  
**PRIMARY EXAMINER**

Michael Nghiem

November 6, 2003